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December 20, 2022

By ECF

Hon. Stewart D. Aaron
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Donohue v. Richard Carranza, et al.*
No. 20 Civ. 05396 (GHW) (SDA)

Dear Magistrate Judge Aaron:

We represent defendants Niagara Falls City School District s/h/a Niagara Falls Public School District and Mark Laurie, in his official capacity as Superintendent (collectively, “Niagara”), in the above-referenced action.


We write to request a one-week extension of the current December 23, 2022 deadline (Dkt. # 231) to file our motion to dismiss relator’s Second Amended Complaint (“SAC”) pursuant to Fed. R. Civ. P. 12(b)(6) and 9(b).

This is our first request for an extension. We seek a brief extension to permit us to further discuss and confer with our clients regarding the numerous allegations raised in relator’s SAC which spans ninety pages. We have reached out to relator’s counsel Ms. Rousseau to obtain consent for the extension, but have not been able to reach her, though we are in the process of reviewing relator’s draft stipulation to dismiss the New York State and New York City claims (Dkt. # 233).

Accordingly, we propose the following briefing schedule: Niagara’s motion to dismiss the SAC must be filed by December 30, 2022, and relator shall file opposition, if any, by January 20, 2023.

We appreciate the Court’s courtesies.

Respectfully submitted,


Jonathan P. Shaub

cc: Counsel of Record